



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 25 2010

THE ADMINISTRATOR

The Honorable Rick Perry
Governor of Texas
P.O. Box 12428
Austin, TX 78711

Dear Governor Perry:

On May 28, 2010 you wrote to President Obama regarding our shared goals of reducing America's dependence on foreign energy, encouraging domestic job creation and protecting our air, land and water from pollution. In the letter, you outlined your concerns with EPA as it works with the Texas Commission on Environmental Quality (TCEQ) to correct deficiencies with the state's air permitting program.

EPA is responsible for ensuring that the people of Texas receive the health protection they deserve -- the same level of protection established for all Americans in the Clean Air Act. While air quality has indeed improved in Texas in recent years, as it has throughout the country, the fact remains that many Texans are living in areas where air quality does not meet federal standards set to protect the health and welfare of your citizens. A permitting program that complies with the Clean Air Act is an essential part of every state's clean air program, and assures that industrial facilities contribute effectively to emission reduction goals. The time is now for Texas regulators and the EPA to work together to find common ground for a permitting program that meets federal requirements and the needs of the public and business in Texas.

We welcome state leadership on clean air and agree that the Clean Air Act envisions state control of clean-air programs, with support from EPA when needed. That is most certainly our goal. But states must exercise their delegated authority within the national framework established by Congress. We cannot overlook failure of the state to correct program deficiencies that violate the federal Clean Air Act. While we could be compelled to take over the program from the state, EPA is continuing to work toward resolving program deficiencies with a goal of maintaining a fully delegated program to Texas.

By working together through these difficult challenges, I believe we will resolve these issues in a mutually agreeable manner. I have no doubt that we can protect the health of Texans and at the same time promote economic growth and jobs.

Again, thank you for your letter and willingness to raise your concerns. We are committed to continuing to work with you, your staff, the public and Texas businesses in a spirit of partnership to provide your state the health protection every Texan deserves. If you have further questions, please contact me or your staff may call Sarah Hospodor-Pallone, Deputy Associate Administrator for Intergovernmental Relations, at 202-564-7178.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa P. Jackson', with a large, stylized initial 'L' and 'J'.

Lisa P. Jackson